

UNITED STATES DISTRICT COURT

for the
District of New Mexico**FILED**UNITED STATES DISTRICT COURT
ALBUQUERQUE, NEW MEXICOIn the Matter of the Search of
(Briefly describe the property to be searched
or identify the person by name and address)

MAY 10 2023

Case No. MR-23-079MITCHELL R. ELFERS
CLERKIN THE MATTER OF THE SEARCH OF THE
PREMISES LOCATED AT 211 BUENA VISTA CT SE,
RIO RANCHO, NEW MEXICO

APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):

See Attachment A

located in the _____ District of New Mexico, there is now concealed (identify the person or describe the property to be seized):

See Attachment B

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- ☐ evidence of a crime;
- ☐ contraband, fruits of crime, or other items illegally possessed;
- ☐ property designed for use, intended for use, or used in committing a crime;
- ☒ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

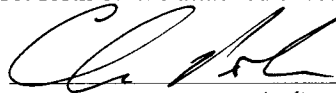
Code Section
18 U.S.C. § 401(1)(3)
18 U.S.C. § 3142 (c)

Offense Description
Criminal contempt of court
Release or detention of a defendant pending trial, Release on Conditions

The application is based on these facts:

The affidavit of Deputy U.S. Marshal Chris Roberson is incorporated herein by reference.

- ☒ Continued on the attached sheet.
- ☐ Delayed notice of _____ days (give exact ending date if more than 30 days: _____) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.



Applicant's signature

Chris Roberson, Deputy U.S. Marshal
Printed name and title

Sworn to before me and signed in my presence.

Date: 05/10/2023City and state: Albuquerque, New Mexico


Judge's signature

Steven C. Farbrough, United States Magistrate Judge
Printed name and title

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

IN THE MATTER OF THE SEARCH OF THE
PREMISES LOCATED AT
211 BUENA VISTA CT SE, RIO RANCHO,
NEW MEXICO (SEE ATTACHMENT A)

Case No. _____

**AFFIDAVIT IN SUPPORT OF AN
APPLICATION UNDER RULE 41 FOR A
WARRANT TO SEARCH AND SEIZE**

I, Chris Roberson, being first duly sworn, hereby depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. I make this affidavit in support of an application under Rule 41 of the Federal Rules of Criminal Procedure for a warrant to search the premises located at 211 Buena Vista Ct SE, Rio Rancho, New Mexico (hereinafter "PREMISES"), further described in Attachment A, to search for Peter Ryan Lynch, a person to be arrested described in Attachment B.

2. I am a Deputy United States Marshal with the United States Marshals Service and have been since April 1, 2010. I have received and completed training at the Federal Law Enforcement Training Center (FLETC) as a criminal investigator. During this tenure as a Deputy U.S. Marshal, I have investigated hundreds of Federal, State, and local fugitives to include, but not limited to, sex offenders, gang members, violent repeat offenders, and those with extensive criminal history. I have attended and completed professional development courses to include those with a focus toward online social networking and criminal investigations.

3. Through the course of this investigation, I have observed records that indicate Peter Ryan Lynch (hereinafter "Lynch") may be residing at the PREMISES. In my training and

experience, I know that fugitives will often stay in places which are unassociated with their true name, or hide in areas to include: residences, garages, outbuildings, storage areas, carports and yards, in the residences of friends or relatives, in their vehicles, in off-site storage facilities, and in other areas to which they have ready access.

4. I am lead investigator for the United States Marshals Service and have been assigned to apprehend federal fugitive Lynch. For this reason, I am familiar with Lynch's criminal history and circumstances related to the underlying federal case. The purpose of this affidavit is to seek authorization to search the PREMISES located in Sandoval County, New Mexico, to search for and arrest Lynch. Based on the information provided below, there is probable cause to believe that Lynch has committed violations of 18 U.S.C. § 401(1)(3), that being criminal contempt of court related to the alleged violation of pretrial release, and also to believe that Lynch may be located at the PREMISES. The facts in this affidavit come from my personal observations, my training and experience, and information obtained from other agents and witnesses. This affidavit is intended to show merely that there is sufficient probable cause for the requested warrant and does not set forth all of my knowledge about this matter.

PROBABLE CAUSE

5. The United States Attorney's Office, Homeland Security Investigations ("HSI") and the United States Marshals Service ("USMS"), among others, are conducting a criminal investigation of Lynch. On May 7, 2023, the United States District Court for the District of New Mexico issued an arrest warrant for Peter Ryan Lynch for violation of his conditions of pretrial release. There is probable cause to believe that Lynch is aware of these charges and has fled. On

May 7, 2023, Lynch cut or removed the ankle monitor he was directed to wear while on conditions of pretrial release. On May 8, 2023, I was assigned the case to apprehend Lynch.

6. On May 8, 2023, I began reviewing records and information pertaining to Lynch. More specifically, I reviewed the USMS subject report that is created based on biographical information generated from details provided at the time of arrest on April 20, 2023. On this subject report for Lynch, I observed his associated address to be 211 Buena Vista Ct SE, Rio Rancho, New Mexico. My review of the New Mexico Online Driver History Record System confirms Lynch provided his residence of record as 211 Buena Vista Ct SE, Rio Rancho, New Mexico. Lynch was issued this identification on August 17, 2020. In addition, the Motor Vehicle Record System shows that Lynch registered a mobile home at that same location, 211 Buena Vista Ct SE, Rio Rancho, New Mexico. On June 28, 2022, this mobile home was issued plate "86497MHB." The mobile home is listed as a "1972 Vent VNA." The owner is listed as Peter Lynch, residential street 211 Buena Vista Ct SE, Rio Rancho, New Mexico.

7. On May 8, 2023, I received an event report created through Rio Rancho Police Department (RRPD). This report shows that on May 7, 2023, at approximately 10:24 PM, RRPD dispatch received a call from Peter Lynch, with an address of 211 Buena Vista Ct SE, Rio Rancho, New Mexico. The nature of this call was for a welfare check at this listed residence. The calling party (Lynch) advised that he has a \$500.00 water bill, and he has not been home, but had been in a halfway house for 30 days on ankle monitor. Lynch advised his security alarm was going off and there were people in his house that are not supposed to be there.

8. On May 8, 2023, I drove by the PREMISES and observed multiple vehicles at this property. The trailer at 211 Buena Vista Ct SE, Rio Rancho, NM, is located immediately on the

corner of an interior cul-de-sac. The trailer is purple in color and has an overhanging carport toward the southeast corner. Based on the location within this mobile home complex and the orientation of the trailer, it is very difficult for law enforcement to conduct safe and discreet physical surveillance on this property. Based on circumstances specific to this case, and limitations to conduct surveillance at this residence, no further action was taken by USMS on this date. On May 10, 2023, USMS initiated surveillance at this residence attempting to positively identify and observe Lynch at the property.

9. This address is observed through Google as 211 Buena Vista Ct SE, Rio Rancho, NM. Based on my investigation, I do believe Lynch has control over this residence and otherwise PREMISES as he described during the call placed on Rio Rancho Police Department (RRPD) on May 7, 2023. The RRPD report under "Notes:" read as "adv that there is people in his house that are not suppose to be there."

AUTHORIZATION REQUEST

14. Based on the foregoing, I request that the Court issue the proposed search warrant, pursuant to Federal Rule of Criminal Procedure 41, that authorizes members of the USMS or their authorized representatives, including but not limited to other law enforcement agents to search the PREMISES described within the District of New Mexico for Peter Ryan Lynch as described in Attachment B, within 14 days of the issuance of the proposed warrant.

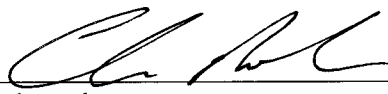
15. I respectfully request authorization to execute this warrant at any time of the day or night. USMS has received information indicating Lynch has been involved with varying degrees of criminal activity and may likely be armed or otherwise has access to firearms.

Granting permission to execute this warrant at all hours will aid law enforcement without hampering the investigation or providing restrictions when USMS can affect the arrest.

CONCLUSION

16. I submit that this affidavit supports probable cause for a warrant to search the PREMISES described in Attachment A and arrest the person described in Attachment B. AUSA Jon Stanford has reviewed and approved this affidavit.

Respectfully submitted,


Chris Roberson
Deputy U.S. Marshal
United States Marshals Service

This affidavit was submitted electronically and sworn by telephone on May 10, 2023.


THE HONORABLE STEVEN YARBROUGH
UNITED STATES MAGISTRATE JUDGE

17. On May 10, 2023, USMS personnel while observing/ surveillance through discreet techniques observed Subject matching description of Lynch. These observations occurred between 11:15 AM and 11:50 AM. At approximately 13:00 (1:00 PM) USMS personnel attempted contact with this subject in front of the residence. The subject believed to be Lynch, fled back inside the residence.

ATTACHMENT A

PREMISES TO BE SEARCHED

1. The premises located at 211 Buena Vista Ct SE, Rio Rancho, New Mexico, further described as purple in color, single wide mobile home/manufactured home with a add on porch and over hanging car port;
2. Any outbuildings or additions believed located on the premises as seen on Google imagery (below), in the Southwest corner and South side of the property;
3. The recreational vehicle trailer that is observed on the Northside of the residence within the fenced area of this identified property as seen on Google imagery.



ATTACHMENT B

This warrant is sought for the limited purpose of arresting Peter Ryan Lynch, FBI number "396914PC7."

